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Legal representation

Los Angeles C

ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1950 to June 30, 1951

ELLERY E. CUFF

PUBLIC DEFENDER

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REPORT OF THE PUBLIC DEFENDER
July 1, 1950 to June 30, 1951

The Public Defender's office of Los Angeles County was created by provisions in the County Charter and since the Charter's adoption has been one of the regular departments of Los Angeles County government.

The primary work of the office is to provide legal representation for persons accused of criminal offenses in the Superior Court and who are without counsel and without funds or property with which to employ such assistance. In this manner the right to the aid of counsel, guaranteed by the Constitution of the United States, by the Constitution of the State of California and by the Penal Code of the State, becomes a reality to the individual defendant. It is for this type of case the office is best known. In Los Angeles the District Attorney and his deputies are specialists in criminal law. In the Public Defender's office a like situation prevails. This permits most cases to be handled with dispatch and inequalities reduced to a minimum.

The office also is required to give aid in a limited civil class by prosecuting actions for the collection of wages and other demands of persons who are not financially able to employ counsel in cases where the amount involved does not exceed $100 and in which it appears the claims are valid and enforcible. The office is also required to defend such persons in civil litigation in which it appears they are being persecuted or unjustly harassed.

In addition to the Charter provisions, the State law enacted in 1943 (Penal Code Sections 4852.01, et seq.) provides that persons previously convicted of felonies, who have thereafter complied with certain conditions, may initiate proceedings for the restoration of civil rights and after court hearing apply for pardon. If he has no counsel he shall be represented by the Public Defender (see Section 4852.08, Penal Code). The work entailed in these procedures calls for meticulous care and accuracy and involves much detail.

The office for the year embraces the Public Defender, Chief Deputy Public Defender, and fifteen Deputy Public Defenders, all of whom must be attorneys regularly admitted to practice in all of the courts of the State. The attorneys are required to devote all of their time to the work of the office and are not permitted any outside private practice. The office also has an investigation staff of three. The clerical staff consists of one secretary, four law stenographers and one stenographer.

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. In February, 1948, a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with a Deputy Public Defender and a law stenographer. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

Reference is made to the investigation staff. The work of this staff is confined almost exclusively to the criminal jurisdiction of the office. The investigators' duties are comparable to those of investigators in any private law office or in the District Attorney's office, locating witnesses and making field investigations of cases assigned to them by trial deputies in the department. It would seem proper to point out that this phase of the work of the office has resulted in economy, which is reflected and measured by the number of dismissals noted, in many of which evidence, unimpeachable, was discovered showing the defendant's complete innocence.

Thus by careful investigation we have been able to dispose of many cases which otherwise would have had to be tried, and in almost every trial in which there has been an investigation the duration of the trial is shortened by reason of the fact that the trial deputy is fully advised as to the evidence to be presented and is able to present it expeditiously. Thus substantial savings in trial costs are accomplished.

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COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE FOR
FISCAL YEAR JULY 1, 1950 TO JUNE 30, 1951

Number of new cases received:

Los Angeles	3038	felonies
Pasadena	156	"
Pomona	90	"
Santa Monica	173	"
Long Beach	244	"
Contributing to Delinquency	100	misdemeanors
	3801	

Violations of Probation:

Los Angeles	223
Pasadena	10
*Pomona	46
Santa Monica	10
Long Beach	39
	328

Civil Insanity for Jury trial 22

Miscellaneous proceedings, including
Psychopathic Delinquent Petitions;
Habeas Corpus Petitions,
Juvenile Petitions;
Motions to Modify Probation:

Los Angeles	27
Pasadena	4
Pomona	2
Santa Monica	2
Long Beach	1
	36

Rehabilitation Proceedings initiated 24

4211

Unfinished cases pending 7-1-51:	Los Angeles (inc.Pasadena, Santa Monica, and Pomona)	Long Beach
Trials	210	9
Probation and Sentence	194	25
Pleas	49	7
Other Miscellaneous Proceedings	13	-
	466	41

*Pomona still shows a large percentage of probation violators but this is attributed to the fact that the judge presiding there had presided in a criminal department in Los Angeles for a number of years previous and the cases he handled there in which probation was granted were transferred to Pomona as violations occurred involving those cases.

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

JULY 1, 1950 TO JUNE 30, 1951

Disposition		Number of Cases
Pleaded guilty:		
Master Calendar Department	4,096	
Trial Departments	944	5040
Substituted out - no pretrial preparation		189
Substituted out - after pretrial preparation		197
*Dismissed, placed off calendar or otherwise disposed of without trial		273
Contributing to delinquency - handling preliminary hearing but later disposing of without trial by plea of guilty, off calendar or dismissal or substitutions		110
Trial by jury (to verdict)		140
Trial by court (to verdict)		634
Civil insanity:		
By jury to verdict	13	
By court to verdict	5	
Substituted out after trial commenced	2	20
Violations of Probation		317
Miscellaneous Proceedings		35
		6,956

*A number of dismissals occurred after full investigation disclosed evidence proving the defendant's innocence and such evidence turned over to the District Attorney who after verifying would dismiss. Thus a good number of useless trials were avoided.

Appeals: One appeal was taken during the year.

CIVIL JURISDICTION
JULY 1, 1950 to JUNE 30, 1951

Applications in which advice was given	2,555
Applications rejected:	
(a) *Refused	630
(b) Referred to attorney	2,847
	3,477
*Applications referred to other agencies and unclassified	2,704
Accepted cases (see next table)	3,342
Total applications for assistance	12,078

*Because the subject matter was not within the office jurisdiction (example - real property) or applicant able to pay a fee.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments	2,502
Guardianships	188
Persecutions - other than exemptions and invalid assignments	456
Wage claims and miscellaneous	214
Waivers of premarital test	245
	3,405

RECOVERED FOR CLIENTS

Wages released from illegal attachments - garnishments	$110,582.34
Defense in civil cases	2,068.40
Goods released	150.00
Wages collected	368.40
Miscellaneous items	6,832.28
Collected on cases pending 7-1-50	2,429.52
	$122,431.94
Total appearances in court on civil cases	753

All figures regarding civil cases include the Long Beach office.

BUREAU OF INVESTIGATION

JULY 1, 1950 to JUNE 30, 1951

Criminal cases handled	421
Civil Cases handled	313
Total cases received for investigation	734

Defendants represented, criminal	982
Persons interviewed in field	4,718
Persons subpoenaed at interview	471

BUREAU OF INVESTIGATION
CHARGES INVESTIGATED
JULY 1, 1950 to JUNE 30, 1951

Robbery	103	288 & 288a	50
Att. Robbery	5	Contributing	11
Receiving Stolen Property	3	Child Stealing	2
Burglary	139	Rape	19
Att. Burglary	4	Att. Rape	2
Attack Deadly Weapon	64	Incest	12
ADW/Murder	10	Perjury	7
Assault/Force	4	CCCF	50
Assault/GBI	18	503 V.C.	14
Assault/Robbery	4	480 & 501 V.C.	21
Assault/Rape	5	504a V.C.	1
Section 273d	11	Arson	5
Murder	14	Pimping and Pandering	6
Att. Murder	2	Escape	3
Manslaughter	3	Rehabilitation	4
246 P.C.	1	Narcotics	71
Mayhem	3	Viol.P.&.C.L.	8
Grand Theft	110	Kidnapping	1
Grand Theft/Person	32	Attempting/Robbery	8
Petty Theft plus prior convic.	21	Miscellaneous	1
Bad Checks	4	Civil	57
		TOTAL CHARGES INVESTIGATED	960

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1950 to June 30, 1951

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants: Subtotal to said persons as represented:	[illegible].57
No moneys belonging to the County of Los Angeles were collected.	

MONEYS EXPENDED

Total Salaries paid		$150,286.34
Total Outlay Expenditures:		
Law Books	$ 29.64	
Furniture & Furnishings	145.14	[illegible].78
Total Maintenance & Operation		3,435.13
		$153,978.55

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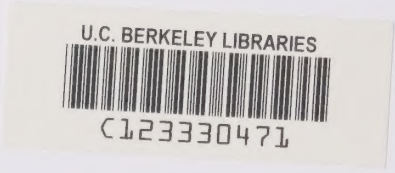

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